

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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IN RE:

Daniel Addison Kimber Smith  
Debtor

Case Number

25-10953-13

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**NOTICE AND MOTION TO DISMISS**

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Standing Chapter 13 Trustee, Mark Harring brings on this motion and respectfully represents:

1. Debtor filed for relief under chapter 13 of the United States Bankruptcy Code on April 23, 2025.
2. The debtor is in default under section 1326(a)(1) which requires that the first payment is due 30 days after the date of filing the plan or the order for relief whichever is earlier. Payments must be made by one of the following: tfsbillpay.com, money order, cashiers check, or sent directly from an employer. IF MAILED, THE PAYMENTS MUST BE SENT TO: MARK HARRING, TRUSTEE, OFFICE OF CHAPTER 13 TRUSTEE, PO BOX 88004, CHICAGO, IL 60680-1004.

WHEREFORE your movant requests an order directing the dismissal of the above-captioned chapter 13 proceeding.

PLEASE TAKE NOTICE that you must object or request a hearing **on or before June 17, 2025** if you wish to contest this motion. Any objection or request for hearing that you file must be filed with the court at the address listed below. An objection or request for hearing should set forth grounds to support the objection request. If no objection or request for hearing is filed, the court shall grant the motion without a hearing and the case will be dismissed.

Dated: May 27, 2025

/s/ Mark Harring  
Standing Chapter 13 Trustee

The Court's Address is:

United States Bankruptcy Court  
120 N Henry  
Room 340  
Madison, WI 53703-2599

This copy of notice sent to:

United States Bankruptcy Court  
120 N Henry  
Room 340  
Madison, WI 53703-2599

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**CERTIFICATE OF SERVICE**

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I, Elizabeth Brady, state that on May 27, 2025 I deposited in the U.S. Mail a true and correct copy of the notice and motion for dismissal to the following listed parties in envelopes with return addresses in case of non-delivery, unless parties are served via the CM/ECF System sponsored by the Court.

United States Bankruptcy Court  
120 N Henry  
Room 340  
Madison, WI 53703-2599

ATTORNEY NOE RINCON  
KREKELER LAW SC  
26 SCHROEDER COURT STE 300  
MADISON, WI 53711

Daniel Addison Kimber Smith  
4361 Eagle Ridge Lane #2  
Windsor WI 53598

I certify under penalty of perjury that the foregoing is true and correct

/s/ Elizabeth Brady  
Office of the Standing Chapter 13 Trustee